



## EXECUTIVE ORDER NUMBER FIFTEEN

### Preamble

The Constitutions of the United States of America and the State of Iowa call for political liberty and equality, and afford to all persons the equal protection of the law. Discriminatory practices based upon race, religion, national origin, sex, age and physical and mental disability betray the vision of the founding fathers and threaten the orderly procedures of democratic government.

The Congress of the United States has enacted a Civil Rights Law and has passed resolutions condemning discriminatory practices. This Law is known as Title VII of the 1964 Federal Civil Rights Act. The clear intent of this law and resolutions passed thereunder, is the assurance that the rights of the people to equal treatment shall not be abridged.

The General Assembly of the State of Iowa has enacted a Civil Rights Law and has passed resolutions condemning discriminatory practices. The clear intent of this law and resolutions passed by the General Assembly of the State of Iowa is to assure that the rights of the people to equal treatment shall not be abridged.

Fair and equal treatment of all persons, guaranteed by the Constitution, affirmed by the General Assembly, promoted by the Executive, is the public policy of the State of Iowa.

In recognition of the obligation of the State and to the limit of the authority vested in me by the Constitution and Laws of Iowa, I hereby proclaim the following CODE OF FAIR PRACTICES to be the official policy of the Executive Branch of the State of Iowa.

### Article I      STATEMENT OF POLICY

The State of Iowa has a special obligation to have its operations serve as a model for business, industry, labor and education. No state official who is responsible to the Governor shall therefore, in policy or in practice, discriminate on the basis of race, creed, color, religion, national origin, sex, age, physical or mental disability.

### Article II      APPOINTMENT, ASSIGNMENT, TRAINING, AND ADVANCEMENT OF EXECUTIVE PERSONNEL

State officials who are responsible to the Governor shall appoint, assign and advance employees solely on the basis of merit

and fitness. Each state agency responsible to the Governor shall promulgate a clear and unambiguous written Affirmative Action Program containing goals and time specifications in Personnel Administration. Each such agency shall regularly review its personnel practices and procedures with a view to correcting any such personnel practices and procedures which may contribute to discrimination in appointment, assignment or advancement. Each such agency shall conduct programs of job orientation and provide training and organizational structure for upward mobility and shall place emphasis upon fair practices in employment. Each such agency shall also bar from all employment application forms any inquiry as to race, creed, color, sex, age or physical or mental disability, except for statistical purposes unless it relates to a bona fide occupational qualification.

#### Article III      STATE EMPLOYMENT SERVICES

All state agencies responsible to the Governor which provide placement or referral services for public or private employees shall refuse to fill any job order which specifies race, creed, color, religion, sex, age, physical or mental disability, as a condition of employment, assignment or advancement except where it relates to a bona fide occupational qualification. They shall, moreover, refer such prohibited requests to the Iowa Civil Rights Commission for investigation, conciliation and any other appropriate action.

#### Article IV      PUBLIC SCHOOL TEACHERS

Pursuant to the provisions of the 14th Amendment of the Constitution of the United States and provisions of the Iowa Civil Rights Act of 1965, the State Superintendent of Public Instruction shall use every lawful means in the promoting of fair employment practices for duly certificated teachers.

#### Article V      STATE EDUCATIONAL, COUNSELING, & TRAINING PROGRAMS

All educational and vocational guidance programs and their essential components, counseling and testing and all on-the-job training programs of state agencies responsible to the Governor, shall be administered in accordance with the provisions of the Iowa Civil Rights Act of 1965. Every state official responsible for the implementation of such programs shall be charged with the duty of seeking to provide equal opportunity for all, regardless of race, creed, color, religion, national origin, sex, age, and physical or mental disability except where it relates to a bona fide occupational qualification.

#### Article VI      STATE SERVICES AND FACILITIES

Pursuant to the provisions of the 14th Amendment of the Constitution of the United States and the Iowa Civil Rights Act of 1965, equal treatment shall be guaranteed by all state agencies responsible to the Governor in performing their services to the public, and equal treatment shall be guaranteed in the use of state facilities. Those in charge of the various state facilities shall take especial care that no state facility is used in the furtherance of any discriminatory practices.

#### Article VII      STATE LICENSING AGENCIES

Pursuant to the provisions of the 14th Amendment of the Constitution of the United States of America, all state licensing agencies shall insure that no license is granted, denied, or

revoked on the basis of race, sex, color, religion, national origin, or ancestry. Where a duly constituted state authority, in an official and lawful proceeding, determines that a licensee has, in his capacity as such, engaged in unlawful discriminatory practices under the Iowa Civil Rights Act, any licensing authority responsible to the Governor shall institute such disciplinary action, including revocation of license, as may be provided by statute or other regulation. In the event of such determination by a duly constituted state authority, the licensing agency concerned shall consider prior to re-issuance of a state license whether said licensee has made a bona fide effort to comply with Iowa law.

#### Article VIII

#### STATE CONTRACTS AND SUBCONTRACTS

To insure compliance with the provisions of the Iowa Civil Rights Act of 1965, every state official who is responsible to the Governor and who is authorized to make contracts or subcontracts for public works or for goods or services shall cause to be inserted into every such contract or sub-contract a clause in which the contractor or sub-contractor is required to have on file a copy of his Affirmative Action Program containing goals and time specifications prior to making a bid for public works, goods, or services. These contractual provisions shall be fully enforced; any breach of them shall be regarded as a material breach of contract.

#### Article IX

#### COMPLIANCE AND REPORTING

All state agencies responsible to the Governor shall cooperate fully with any persons authorized by the Governor, and it shall be the duty of the Iowa Civil Rights Commission to monitor and take whatever action necessary to assure compliance with this CODE OF FAIR PRACTICES. Each state agency shall report annually to the Iowa Civil Rights Commission between December 15 and January 1, all programs undertaken to effect this CODE, and the Iowa Civil Rights Commission shall report this information to the Governor not later than the 30th day of January each year.

#### Article X

#### PUBLICATION AND POSTING

Copies of this CODE OF FAIR PRACTICES shall be distributed to all state officials and appointing authorities. The CODE shall, further, be posted conspicuously in all state facilities. All state agencies responsible to the Governor shall cooperate with the Iowa Civil Rights Commission in posting, upon request, notices in state facilities information relating to the Iowa Civil Rights Act.

Executive Order Number Nine issued on October 11, 1967 relating to the Code of Fair Practice is hereby repealed and this Executive Order shall be in full force and effect in lieu thereof.



IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Iowa to be affixed. Done at Des Moines this 2 day of April in the year of our Lord one thousand nine hundred seventy-three.

  
GOVERNOR

Attest:



SECRETARY OF STATE